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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 JAMES ERNEST DICKERSON,
11 Plaintiff,

12 v.
13 CAROL PORTER, *et al.*,
14 Defendants.

Case No. C06-5293RJB

ORDER DISMISSING
COMPLAINT FOR
FAILURE TO EXHAUST

The Court, having reviewed the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- 18 (1) The Court adopts the Report and Recommendation;
- 19 (2) Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust administrative remedies prior to filing.
- 20 (3) The Clerk is directed to send copies of this Order to plaintiff and to the Hon. J. Kelley Arnold.

DATED this 2nd day of October, 2006.


ROBERT J. BRYAN

United States District Judge